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EXAMINER	
GEORGE, KEITH M	

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/519,848
Filing Date: March 06, 2000
Appellant(s): KANURI ET AL.

Leon R. Turkevich
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 15 June 2004.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct with the exception that the rejection of claim 2 has been withdrawn.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

Appellant's brief includes a statement that claims 1 and 10 do not stand or fall together; claims 8-9 stand or fall together, but claim 11 stands separately from claims 8-9 and does not stand or fall together with claims 8-9 and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

6,094,435	Hoffman et al.	7-2000
5,128,926	Perlman et al.	7-1992
6,104,696	Kadambi et al.	8-2000

(10) Grounds of Rejection

Claims 1 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoffman et al., U.S. Patent 6,094,435, hereinafter Hoffman. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman in view of Perlman et al., U.S. Patent 5,128,926, hereinafter Perlman. Claims 8-9, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman in view of Kadambi et al., U.S. Patent 6,104,696, hereinafter Kadambi. This rejection is set forth in prior Office Action, Paper No. 8, mailed on 15 January 2004 and is repeated here for convenience.

Referring to claims 1 and 10, Hoffman teaches layer 2 information stored in a memory. The entry contains information relating to source and destination aging. Destination aging in the network element indicates which layer 2 and layer 3 entries are active (determine an application state). The information implements in accordance with IEEE standard 802.1d type address aging (delete an address entry from a network switch address table based on the application state) (column 16, lines 43-53).

Referring to claims 8 and 11, Hoffman teaches the method described in reference to claim 1 above with the possible exception of an application-specific aging timer configure for counting an application-specific aging interval. Kadambi teaches that each Ethernet Port Interface Controller (EPIC) is provided with an age timer and in figure 18, step 18-1, it is

determined whether the age timer has expired. Kadambi goes on to teach in step 18-8 that if the hit bit is not set, the ARL entry is deleted (column 22, line 63 - column 23, line 17). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize the aging timers of Kadambi in the aging method of Hoffman. One of ordinary skill in the art would have been motivated to do this to ensure that only current and active address information is maintained in the tables (Kadambi, column 22, lines 32-34).

Referring to claim 9, Hoffman and Kadambi teach the method described in reference to claim 8 above with the possible exception of resetting the timer in response to detecting and access of the address entry. Kadambi teaches in step 18-6 to check the hit bit and if it is set the method proceeds to step 18-3 and the entry is not deleted.

(11) Response to Argument

Referring to claim 1, applicant argues that Hoffman does not disclose or suggest determining an application state for a prescribed network application from a received layer 2 data packet. Hoffman clearly teaches that source aging information indicates whether the source is active or not. In a preferred implementation, this information is updated by the forwarding logic every time the layer 2 source address is matched. Destination aging in the network element indicates which layer 2 and layer 3 entries are active (column 16, lines 44-51). It is clear from the teachings of Hoffman that when the layer 2 source address is matched, the state of the source (application) is active and therefore the application state can be determined from the layer 2 entries.

Applicant also argues in regards to claim 1 that Hoffman is unable to determine the application state because the relevant information is never presented to the class logic in the

forwarding logic. As has been clearly stated above, Hoffman teaches that the source aging information indicates whether the source (application) is active or not (column 16, lines 44-45).

Applicant also argues against a clarification provided in an Advisory Action that the state will appear as inactive because there will not be a layer 2 packet. And states that the claim specifies determining an application state for a prescribed network from a received layer 2 data packet. This is precisely what Hoffman is teaching. If a data packet is received then the application state is active, if it is not received it is inactive. This clarification provided in the Advisory Action did not tacitly admit the deficiency of the rejection, but simply provided an alternate explanation of the rejection to the applicant.

Referring to claim 10, applicant argues that Hoffman neither discloses nor suggests a plurality of network switch ports where each network switch port includes a packet classifier for determining an application state. As can clearly be seen in figure 3, Hoffman teaches a plurality of switch ports 38a-38n, which feed into forwarding logic 52. Forwarding logic 52 is better described in figure 4 and teaches class logic 60. The merge logic 66 uses information from the class logic 60 and information output from the associated memory 42 to instruct the input port 50i what to do to properly forward the packet to its appropriate destination (column 12, lines 12-15). The class logic clearly assists in classifying the packet that will determine the application state of the packet.

Referring to claims 8-9, applicant argues that neither Hoffman or Kadambi, singly or in combination, disclose nor suggest an application-specific aging timer configured for counting the application-specific aging interval for a prescribed network application. As applicant has described, the age timers of Kadambi are port-specific aging timers based on the port having

received the packet carrying the learned address and therefore are specific to the application using the particular port.

Referring to claim 11, applicant argues that the prior art does not teach a packet classifier. As has been further explained in reference to claim 10 above, the class logic of Hoffman addresses this limitation.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Keith M. George
February 4, 2005

Conferees

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